

HB3935



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3935

by Rep. Michael J. Zalewski

SYNOPSIS AS INTRODUCED:

720 ILCS 5/21-8

Amends the Criminal Code of 2012. Changes the offense of criminal trespass to a nuclear facility to criminal trespass to a targeted facility. Defines "targeted facility" as: (1) a petroleum refinery; (2) a chemical manufacturing facility; (3) a nuclear power electric generation facility; or (4) an electric generation facility. Provides that a violation is a Class 4 felony.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 21-8 as follows:

6 (720 ILCS 5/21-8)

7 Sec. 21-8. Criminal trespass to a targeted ~~nuclear~~
8 facility.

9 (a) A person commits criminal trespass to a targeted
10 ~~nuclear~~ facility when he or she knowingly and without lawful
11 authority:

12 (1) enters or remains within a targeted ~~nuclear~~
13 facility or on the grounds of a targeted ~~nuclear~~ facility,
14 after receiving notice before entry that entry to the
15 targeted ~~nuclear~~ facility is forbidden;

16 (2) remains within the facility or on the grounds of
17 the facility after receiving notice from the owner or
18 manager of the facility or other person authorized by the
19 owner or manager of the facility to give that notice to
20 depart from the facility or grounds of the facility; or

21 (3) enters or remains within a targeted ~~nuclear~~
22 facility or on the grounds of a targeted ~~nuclear~~ facility,
23 by presenting false documents or falsely representing his

1 or her identity orally to the owner or manager of the
2 facility. This paragraph (3) does not apply to a peace
3 officer or other official of a unit of government who
4 enters or remains in the facility in the performance of his
5 or her official duties.

6 (b) A person has received notice from the owner or manager
7 of the facility or other person authorized by the owner or
8 manager of the facility within the meaning of paragraphs (1)
9 and (2) of subsection (a) if he or she has been notified
10 personally, either orally or in writing, or if a printed or
11 written notice forbidding the entry has been conspicuously
12 posted or exhibited at the main entrance to the facility or
13 grounds of the facility or the forbidden part of the facility.

14 (c) In this Section, "targeted nuclear facility" means any
15 of the following:

16 (1) a petroleum refinery;

17 (2) a chemical manufacturing facility;

18 (3) a nuclear power electric generation facility; or

19 (4) an electric generation facility ~~has the meaning~~
20 ~~ascribed to it in Section 3 of the Illinois Nuclear Safety~~
21 ~~Preparedness Act.~~

22 (d) Sentence. Criminal trespass to a targeted nuclear
23 facility is a Class 4 felony.

24 (Source: P.A. 97-1108, eff. 1-1-13.)